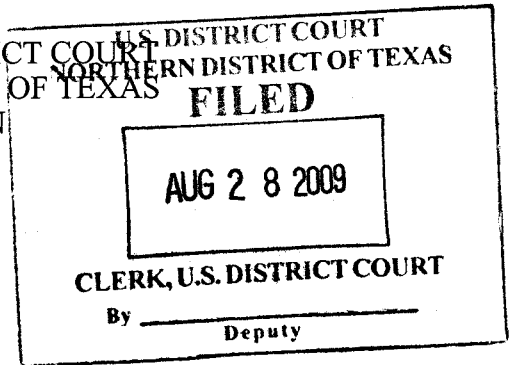


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION



MARTIN BENZ GARCIA,

Petitioner,

v.

NATHANIEL QUARTERMAN, Director,
Texas Department of Criminal Justice,
Correctional Institutions Division,

Respondent.

2:06-CV-0124

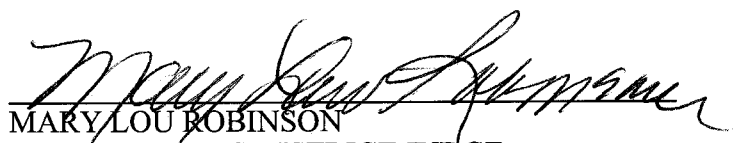
ORDER OVERRULING OBJECTIONS,
ADOPTING REPORT AND RECOMMENDATION
and DENYING PETITION FOR A WRIT OF HABEAS CORPUS

Petitioner has filed with this Court an application for a writ of habeas corpus by a person in state custody. On August 7, 2009, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that habeas relief be denied. Petitioner filed objections to the Report and Recommendation on August 18, 2009.

The undersigned United States District Judge has made an independent examination of the record in this case and has considered the objections made by petitioner to the Report and Recommendation. The objections filed by petitioner are without merit and are hereby OVERRULED. The Magistrate Judge's Report and Recommendation is hereby ADOPTED. Accordingly, the petition for a writ of habeas corpus filed by petitioner is DENIED.

IT IS SO ORDERED.

ENTERED this 28th day of August 2009.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE